

New York in Line for the Johnson Art Treasures Relegated by Philadelphia to Storehouse Obscurity



HIERONYMUS BOSCH, 'MOCKING OF CHRIST'.

Quaker City Warned That \$5,000,000 Collection Will Go to Metropolitan Museum Unless Provisions of Fam- ous Lawyer's Will Be Fulfilled

A FIVE million dollar art prize covered by every collector of paintings in the world may become part of the famous exhibition at the Metropolitan Museum of Art through the failure of Philadelphia to meet the simple but specific terms for the disposal of his 1,300 masterpieces made by the late John G. Johnson.

Mr. Johnson died in April, 1917, at the zenith of his fame as the ablest lawyer of America. Up to the very day of his death Mr. Johnson's advice was sought on all sorts of intricate legal problems by great railroad, powder trust, politicians and heads of vast industries. Many of them never took an important step until he had declared it legal. Yet for two years and more the city of Philadelphia, the Art Jury, Mr. Johnson's former law partners and the executors of his will have been puzzling over that document and trying to find a way to get a "new interpretation" of some of its provisions under which it will be possible virtually to ignore a codicil written only two months before his death.

Before Mr. Johnson died it used to be said that the litigant who went into court with the great lawyer's opinion in his favor had his case half won, so great was the respect of most judges for his keen knowledge of the law. And that this respect still lives has been indicated within the last few weeks by the action of an officer of the Orphans Court in warning the city that something tangible must be done to show good faith. Herein, according to those opposing what they call a movement to break the Johnson will, lies the chance that the paintings may go eventually to New York.

Hundreds of Rare Paintings. Every art lover is familiar with the story of the Johnson collection. Apart from the fact that it contains hundreds of rare and expensive paintings by the greatest of old masters, the gallery is tremendously valuable because, according to the experts, it covers every known school and period since men first learned to transmit to canvas with oils and pigments their impressions of beauty and grandeur. For purposes of value the collection has been appraised at \$4,445,892.90. One famous collector has declared that if sold piecemeal it would bring at least \$7,000,000. Intact it is beyond price for the reason that if destroyed the collection never could be duplicated.

Mr. Johnson spent thirty years gathering these paintings. They represent only the best of what he gathered. Although he gained a wide knowledge of art and took every precaution to protect himself, he knew that clever swindlers would get the best of him at times. So whenever he discovered a "fake" in the collection he either burned it with his own hands or sent it for what it was worth to some small collection, labeled "attribution spurious." If it was a good example of the work of a particular period, even though not the work of the master whose name had been forged to it, he kept it until he could replace it with the genuine.

The lawyer drew up the main part of his will in 1912. According to the summary made public at his death by his law partners, "the will gives the house at 519 South Broad street and all pictures and works of art to the city of Philadelphia to be maintained as a public museum, provided the city accepts within six months and enters into an agreement with the executors to provide for the care and maintenance of the collection." In the original document it was specified by Mr. Johnson and "if the city of Philadelphia takes the collection, and if there be not a proper building in existence for exhibiting the same, then I direct that such a building be erected upon some central site in the city of Philadelphia, or at some proper and accessible point in Fairmount Park."

Politics Before Art. In the five years between 1912 and 1917 Mr. Johnson had ample opportunity to observe that Philadelphia was doing to provide an art gallery. It was true that the terms of his will were unknown. But it was an open secret that Mr. Johnson intended to leave his paintings to the city if the municipality demonstrated it could

care for them. He saw that the officials were far more interested in politics than in art. Succeeding administrations squabbled over the spoils that would accrue to opposing political contractors from the construction of the projected museum, with the result that nothing was accomplished but talk.

So on February 12, 1917, Mr. Johnson

THE
LATE
JOHN
G.
JOHNSON



GIOVANNI DA MILANO,
PETER FREED FROM PRISON.

son drew up a codicil to his will containing specific and emphatic instructions for the care of his collection after his death. In this he made numerous physical provisions that have not been met by the city of Philadelphia. Harrison S. Morris, former president of the Pennsylvania Academy of the Fine Arts and a director of the Newport Museum, asserts that these are just as vital as the requirement for an agreement or contract, which, he says, is the only demand of the will met so far by Philadelphia. Because of the city's failure in other respects, he asserts, "the Metropolitan Museum could obtain this collection, in my opinion, if it would reach out after it." The same view is taken by Prof. Pasquale Farina, an artist and restorer of paintings who had charge of the Johnson collection during the lawyer's life, and by other art experts in Philadelphia.

The provisions relating to the gift of the pictures, taken from the codicil, are as follows: "I devise to the city of Philadelphia, if it accepts the bequest to it in my will and enters into the specified contract, concerning my art objects and my house and lot No. 519 South Broad street, with all the appurtenances, all the contents, saving money, securities and objects of personal use and ornaments. All objects of household use and adornment shall go with the house. I wish it to be maintained as a museum—a public museum—to stand pretty much as it will be at my decease."

In Perpetuity. "I direct that this be forever kept up and maintained as such museum in which my art objects shall be exhibited."

"This devise will save the need of the city contributing to building an art gallery unless the house shall be so injured or destroyed as to require repairing or rebuilding. In such event the city's contract shall oblige it, if there be enough art objects left to make it worth while, to restore or to rebuild on the same site. So far as the original directions about a building in my will shall be reasonably applicable they shall be followed."

"The art objects shall not be removed for permanent exhibition to any other place, unless some extraordinary

situation shall arise making it exceedingly injudicious."

"It will be necessary to make some regulations for such admission of the public as will properly protect the property. I direct that from time to time such regulations may be made by the majority of a body to consist of persons, viz.: The president of the Academy of Fine Arts, the president of the Pennsylvania Company for Insurance on Lives and Granting Annuities, the president of Philadelphia Councils (of select and common, if

there shall be two bodies) and of the president of the Pennsylvania Museum. "It will be necessary to devote a considerable annual sum to the upkeep, heating, lighting and care of the museum, the placing in charge of a curator, the keeping a competent staff of work people and caretakers, the proper restoration and care and repair of pictures, frames and other objects."

"The curator shall be selected by the trustees, who shall only make the selection after thorough investigation.



GEERTGEN TOT ST. JANS, SAINT MARTIN.



AN EPISODE FROM BOCCACCIO,
BY PAINTER OF THE
FLORENTINE SCHOOL
ABOUT 1490.



ROBERT CAMBIN,
HEADS OF THE CHRIST
AND THE VIRGIN.



FRANCISCO DI GENTILE DA FABRIANO,
MADONNA AND CHILD.

I wish no jobbery in this section. As I have said, there must be proper lighting and heating; the furnishings must be kept in good condition; caretakers, guards, watchmen, cleaners, etc., must be provided. Intelligent restoration must be made. Frames must be kept in order. Cradling from time to time must be done."

It was nearly a year after this document was made public before any definite action was taken by the city. Within the six months period stipulated the necessary contract was drawn up and signed, but nothing was done with the collection. It will be noted that the Philadelphia Art Jury is not once mentioned in the codicil, and the same is true of the main body of the will. Yet it was the president of the art jury that finally removed the collection from the South Broad street house and placed it in a storage warehouse, where it has been ever since. Philadelphia is familiar with the unconscious irony of an advertisement by the company owning this warehouse which informed the public that the place houses the famous Johnson collection. The point is now raised that it is utterly impossible to comply with all the terms of the will while the paintings are in storage.

This collection is supposed to be publicly owned. It might be expected, therefore, that no disposition would be made of it without notification to the public. But the first announcement that it had been placed in storage was made only incidentally some months later, when a petition was filed before the Orphans Court for a new interpretation of the will. Then it was explained that the Johnson home is a firetrap and utterly unsuited for a museum. The court was asked to make an order permitting the executors and others named as caretakers in the will to sell the Broad street dwelling and to house the collection in a "Temple of Art" to be constructed on the Parkway, a boulevard connecting the city with Fairmount Park.

After several hearings the court finally appointed Mr. Hampton Todd as master to conduct further hearings on the necessity and advisability of this procedure and to report back to the court with recommendations. Some hearings were held last spring. They were resumed a few weeks ago. In the meantime there has been all sorts of speculation among attorneys as to the possible outcome. It has been said that the sentence from the codicil—"The art objects shall not be removed for permanent exhibition to any other place unless some extraordinary situation shall arise making it exceedingly injudicious"—is incomplete. According to lawyers, it is necessary to add "to keep them there" if the sentence is to make sense. As it stands they say it is a palpable oversight by Mr. Johnson and that it expresses the antithesis of his real meaning.

No one doubts that the proposed temple on the Parkway would be a far better place for the Johnson collection than the late lawyer's home in Broad street. There is no disposition to deny the testimony of experts that from the modern point of view the Broad street house is a firetrap. But those who are fighting the movement for a new interpretation of the will, and who assert that Philadelphia already has jeopardized its hold on the collection, insist that Mr. Johnson's intention should be recognized. No other reason they put forth is the one that will have most weight in determining whether the collection shall remain in Philadelphia or go to New York.

Philadelphia has been trying to build an art museum for many years. Less than a year ago \$1,800,000 was appropriated for the foundations of a structure that will rise some day on a height in the park overlooking the Parkway. Not another cent for this building is available or in sight at the present time. Last summer the city put through a loan of more than \$12,000,000. It has just been declared illegal by the State Supreme Court for the reason that many of the items for which it was intended were honey-combed with current expenses misquandering as "permanent improvements." Included in these items were office furniture and stationery.

Extravagance of succeeding administration has brought about a condition where the income from taxes will not pay current expenses and fixed charges, as it should and as is specifically required under the new charter that becomes effective on January 1. Two increases have been made in the tax rate in the last four years. Another must be made for next year. The city needs millions to complete subway and elevated lines to which it is committed, on which work has been started, and for other public improvements. It is pledged to the art museum, to a huge public library and to a convention hall. Just now nobody knows how it will raise the money for all those projects.

The Johnson temple of art will cost another million dollars. Of course money for all these improvements will be obtained eventually. But it is evident that with the utmost expedition it will be five years or more before the main gallery is completed, and probably longer before the Johnson memorial building can be made ready for the collection. In the meantime part of the plan is to sell the old house. There is therefore no place left in which to exhibit the collection. Presumably the art jury and city authorities intend that it shall remain in storage.

Officials of the Metropolitan Museum are quoted as saying that the Johnson collection belongs in Philadelphia, and it is not expected that they will start a fight to get it. But within the next few weeks it is extremely likely that art lovers in Philadelphia who would rather see the collection preserved and open to the public in New York than subject to the deterioration caused by darkness in a Quaker City storage house will start a court fight of their own that may prove exceedingly interesting to Metropolitan officials. Such an action is now under consideration. If it is started it will be contended that the physical terms of the Johnson will have not been met in any particular.

In the meantime the hearings before Mr. Todd have resulted in little progress. At one recent hearing the master notified an assistant city solicitor that the city of Philadelphia must produce some tangible evidence of its good faith in accepting the Johnson collection. He suggested that this should take the form of an appropriation, or the dedication of a site. The city solicitor, however, made it clear that with but a few weeks to serve the present municipal administration intends to do nothing.

City Hasn't the Money. An official of the Fairmount Park Commission attempted to come to the rescue by promising that if the petition for a new interpretation of the will is granted, and if the money obtained from selling the old house is turned over to the commission, he will undertake to get whatever else is necessary to put up the new building. Under cross-examination he admitted that he hopes to get the money from the city treasury. Municipal financial experts have not been able to find it there, however.

Keeping priceless paintings in storage may strike the rest of America as a strange procedure. But it is nothing new in Philadelphia. Some years ago an agitation was started to clear the fake paintings from Independence Hall. After a long wrangle the fakes were taken from the walls and about three out of four hundred the collection were marked for removal by a committee of the art jury. The others were then stored in the basement of Congress Hall, the western building of the Independence Hall group. There they stayed until Prof. Farina exposed the fact that many of them had been damaged by mice. Since then twenty have

been restored and rehung but the others are still on storage, now in an upper floor of the building. They have been off the walls all during the period of America's participation in the world war. These paintings are all by early American artists and constitute the most valuable collection of its kind in the country.

Another containing many examples of the work of early American artists as well as many early and late European and American masterpieces is that of the Pennsylvania Academy of the Fine Arts. Most of them are never on exhibit, being stored in the cellar during exhibitions of water colors and new paintings. Until recently the valuable Whitcomb collection in Memorial Hall, Fairmount Park, was closed to the public for two years, pending restoration and rearrangement. When the collection was reopened it was learned that the officials in charge had sold many of the paintings on the ground that they were not worth keeping or were out of place.

Primitives are an acquired taste and there are people who continue all their lives to avoid them as they do castor oil. It is because they do not see in these ancient paintings qualities which most self-constituted connoisseurs presume to judge. A little more than a quarter of a century ago the rooms of the Accademia della Belle Arti, where the primitives of the Florentine school had shelter but not much besides, were avoided by students and so-called lovers of art and the great collections of early Italian, German, Spanish and Dutch art in the Louvre were little frequented. Almost alone, Giotto, Cimabue and Botticelli were names familiar to collectors and the latter admired them more for their " quaintness." Now the persons pretending to art knowledge have added to this brief list scores of names, including Bernardo Daddi, Giovanni de' Milano, Andrea di Giotto, Niccolò di Ricci, Francesco Pesellino, Benozzo Gozzoli, Hieronymus Bosch, Jan Van Eyck, Dirk Bouts and his son, Carlo Crivelli, Memline, Gaudenzio Ferrari, Piero di Cosimo and others.

America's Taste for Art. In this country the taste for the paintings of the fourteenth and fifteenth centuries, preceding the great age of Michael Angelo, Raphael and Andrea del Sarto, has been fostered by a few collectors but it is not yet widespread. In the small room of the Metropolitan Museum where primitives are shown there are rarely more than one or two persons looking at them at a time. If the great collection known as the John G. Johnson Primitives comes to the museum there will be an opportunity for a growth of knowledge with corresponding increase of enjoyment.

No collection of this kind surpasses the Johnson except that in the Louvre. The Philadelphia lawyer acquired a taste for primitives almost as soon as he began buying and toward his latter years he bought no other kind of picture. His groups are remarkably full and the extreme care that he took to make the attributions as perfect as possible has added distinctly to the value of them, including the spurious.

As much nonsense is written about art as about religion. Whistler, indeed, claimed precedence for art. "That a picture may be beautiful 'in spite of nature' is an art canon that most persons refuse to accept; that the artists who painted in the fourteenth century did so on their knees but forgot to learn how to draw is another statement of the cognoscenti that the vulgar refuse to accept as a dictum. Leaving out the eccentric painters of to-day, it is, perhaps, a canny to say that at least one-half of modern art is science—a rigid science of form and perspective."

In accuracy of delineation of nature's forms and the human form necessary to art? The old time treatises all said it was. The student of primitives must reverse this dictum before he can understand them.

It may help him to do so by remembering that there is hardly one person in a hundred able to tell the true proportion of things and to grasp the anatomy of a figure. The untrained eye barely notes the commonest object; it sees just enough of the characteristics of things to identify them. So much for form. How about color? Does the untrained eye really know what the color of the sky is as the sun sets behind the Palisades? Or can it see what complex hues float on the surface of the Hudson River as it flows beneath? Of course it does not, and its owner, if he be wise, admits his humiliation.

But for one wise there are thousands of foolish, and they go on criticizing

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